IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.V.K.BALI
&
THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 15TH DECEMBER 2006 / 24TH AGRAHAYANA 1928

WA.No. 1867 of 2006()
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AGAINST THE JUDGEMENT/ORDER IN WPC.17550/2006 Dated 04/10/2006
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APPELLANT: PETITIONER
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SUSAN SAMSON,
W/O.P.O.SAMSON,
HOUSE NO.32/2110 A,
DHANYA, PALARIVATTOM, KOCHI-25.

BY ADV. SRI.K.RAMAKUMAR

RESPONDENTS:
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1. STATE OF KERALA,
REP. BY THE CHIEF SECRETARY,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE SUPERINTENDENT OF POLICE,
VIGILANCE AND AUDIT CORRUPTION BUREAU,
KOCHI.

3. DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND AUDIT CORRUPTION BUREAU,
KOCHI.

BY GOVERNMENT PLEADER SRI.T.B.HOOD

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 15/12/2006, THE COURT ON 15/12/2006 DELIVERED THE FOLLOWING:

V.K.BALI, C.J. &
C.N.RAMACHANDRAN NAIR , J.

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Writ Appeal No.1867 of 2006

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Dated this the 15th day of December, 2006.

JUDGMENT

V.K.Bali, C.J.(Oral)

After arguing for sometime learned counsel states that not only the Writ Appeal be dismissed as withdrawn, but the appellant be also permitted to withdraw the Writ Petition in so far as she is concerned, as the points raised in the Writ Appeal or Writ Petition would be taken at the time of framing of charge or in an application that may be filed for discharge. The points based on facts, surely cannot be gone into by this court at this stage and therefore, we permit the appellant to raise them at the appropriate stage. In the facts and circumstances of the case, both the Writ Appeal and Writ Petition are dismissed with liberty to the petitioner as prayed for by counsel and as mentioned above.

V.K.BALI
Chief Justice

C.N.RAMACHANDRAN NAIR
Judge

pms